

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS
July 20, 2010

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

ROLL CALL: Joe Brown, William Boyd, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Harold Collins.

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Mr. Walter Broady. Councilman Lowery presented Mr. Broady with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

7. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE EAST SIDE OF CHERRY ROAD, OPPOSITE AND SOUTH OF INTERSECTION WITH DUNN ROAD, CONTAINING 0.482 ACRE IN THE LOCAL COMMERCIAL (C-L) DISTRICT.**

Case No. SUP 09-218

Held until August 10, 2010

10. **JOINT ORDINANCE REPEALING THE MEMPHIS AND SHELBY COUNTY ZONING REGULATIONS ADOPTED BY THE SHELBY COUNTY BOARD OF COMMISSIONERS ON OCTOBER 6, 1981 AND BY THE MEMPHIS CITY COUNCIL ON OCTOBER 7, 1981, BEING JOINT ORDINANCE AND RESOLUTION NO. 3064, AS**

AMENDED; REPEALING THE MEMPHIS AND SHELBY COUNTY SUBDIVISION REGULATIONS ADOPTED BY THE SHELBY COUNTY BOARD OF COMMISSIONERS AND THE MEMPHIS CITY COUNCIL ON DECEMBER 19, 1983, BEING JOINT ORDINANCE AND RESOLUTION NO. 3352, AS AMENDED; AND ADOPTING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE TO ESTABLISH JOINT ZONING AND SUBDIVISION REGULATIONS, TO PROVIDE FOR A BOARD OF ADJUSTMENT AND A LAND USE CONTROL BOARD, AND TO PROVIDE FOR THE ENFORCEMENT AND PENALTIES FOR VIOLATION OF THE REGULATIONS, UP FOR T H I R D AND F I N A L READING.

Case No. ZTA 09-001cc
Ordinance No. 5367

Held until August 10, 2010

35. **RESOLUTION REQUESTING THE ADMINISTRATION TO PREPARE A REQUEST FOR PROPOSALS TO IDENTIFY INTERESTED PARTIES TO OPERATE THE REMAINING CITY-OWNED COMMUNITY CENTERS IN AN EFFORT TO INCREASE EFFICIENCIES.**

Held until August 10, 2010

1. **RESOLUTION CONGRATULATING PUBLIC WORKS EMPLOYEE JEAN SOUCY ON HIS DESIGNATION AS THE 2009 DUNAVANT AWARD HONOREE IN THE NON ELECTED PUBLIC SERVANT CATEGORY.**

MOTION: Strickland
SECOND: Flinn

APPROVED, unanimous voice vote

30. **ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 4159, EXTENDING THE FRANCHISE ORDINANCE AS AMENDED, UP FOR T H I R D AND F I N A L READING. (HELD FROM 12/1; 12/15; 1/26; 2/23; 3/23; 5/25)**

Ordinance No. 5331

Held until August 10, 2010

36. **RESOLUTION REQUESTING THE ADMINISTRATION TO REMOVE FUNDING FROM PROPOSED FY 2011 O&M BUDGET TO COVER COSTS ASSOCIATED WITH VEHICLE INSPECTIONS. (HELD FROM 4/13; 5/11; 6/22).**

Held until August 10, 2010

2. **RESOLUTION HONORING MS. LAVELLE FITCH FOR BEING NAMED THE 2009 AND 2010 HALL OF FAME AWARD RECIPIENT FROM THE AIRPORT MINORITY ADVISORY COUNCIL.**

APPROVED, unanimous voice vote

MINUTES

Approval of the Minutes of the regular meeting of July 6, 2010 with the following motion:

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE WEST SIDE OF GERMANTOWN PARKWAY; 225 FEET SOUTH OF MEADOW TRAIL DRIVE, CONTAINING 1.96 ACRES IN AN AREA CURRENTLY GOVERNED BY THE CONDITIONS OF THE MEADOW TRAIL P.D., PHASE 1, (P.D. 95-351), PLAT BOOK 202,PAGE 25.**

Case No. PD 10-306

Applicant: American Properties Co., GP
SR Consulting, LLC – Cindy Reaves – Representative

Request: A planned development amendment to permit three new commercial uses within the outline plan; restaurant with carry out (excluding drive thru), bakery and grocery with less than 5,000 square feet of area

LUCB and OPD recommendation: APPROVAL, with amended conditions

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

4. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE EAST SIDE OF THOMAS STREET, 118 FEET SOUTH OF FIRESTONE AVENUE, CONTAINING .13 ACRE.**

Case No. SAC 09-609

Applicant: Lovelace P. Gipson

Request: Close Guy Place Alley and a portion of Lyman Avenue

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Fullilove

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman Collins

APPROVED

5. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTHWEST CORNER OF BROAD AVENUE AND TILLMAN STREET, CONTAINING 1.11 ACRES IN THE NEIGHBORHOOD COMMERCIAL (C-N) DISTRICT.**

Case No. UV 10-07

Applicant: Binghampton Development Corporation
Nathan Cook and Robert Montague – Representatives

Request: Farmers Market

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Fullilove

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland and Chairman Collins
Ware did not cast a vote

APPROVED

6. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$3,600.00 FROM THE TENNESSEE HISTORICAL COMMISSION FOR THE MEMPHIS LANDMARKS COMMISSIONER TRAINING TO SEND AT LEAST 6 COMMISSIONERS AND/OR STAFF TO THE NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS FORUM 2010 NATIONAL CONFERENCE. THE MEMPHIS LANDMARKS COMMISSIONERS AND STAFF ARE REQUIRED BY THE CERTIFIED LOCAL GOVERNMENT AGREEMENT TO RECEIVE TRAINING EVERY YEAR. RESOLUTION ALSO AMENDS THE FY 2010 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS AND MATCHING FUNDS IN THE AMOUNT OF \$2,400.00.**

MOTION: Ford

SECOND: Strickland

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland and Chairman Collins
Ware did not cast a vote

APPROVED

8. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHWEST CORNER OF GREENLAW AVENUE AND SIXTH STREET, CONTAINING 1.14 ACRES IN THE MODERATE DENSITY RESIDENTIAL (MDR) DISTRICT.**

Case No. SUP 10-219

Applicant: Memphis College Preparatory School
Vanecia Belser Kimbro – Representative

Request: Charter School (Grades Kindergarten – 5)

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Fullilove

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

9. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE NORTHEAST CORNER OF MURRAY AVENUE AND YATES ROAD, CONTAINING .27 ACRE IN THE GENERAL OFFICE (O-G) DISTRICT.**

Case No. UV 10-06

Applicant: Erling Jensen
Butch Edwards – Representative

Request: Use Variance to expand the existing Erling Jensen's Restaurant currently operating under a prior Board of Adjustment approval for a new enclosed foyer, waiting area and additional 12 dining seats

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Strickland

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman Collins
Hedgepeth did not cast a vote

APPROVED

11. **ORDINANCE REZONING THE EAST BANK OF MISSISSIPPI RIVER; EXTENDING SOUTHWARDLY FROM INCLINE BAYOU, CONTAINING 10.54 ACRES IN THE AGRICULTURAL (AG) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Case No. Z 10-108

Ordinance No. 5368

Applicant: SCF Real Estate, LLC & South of Fleet Street, LLC
Josh Lawhead (Burch, Porter & Johnson) & Harvey Marcom (The Reaves Firm – Representatives)

Request: Heavy Industrial (I-H) District

LUCB and OPD recommendation: APPROVAL

MOTION: Ford

SECOND: Brown

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman Collins
Hedgepeth did not cast a vote

APPROVED

CONSENT AGENDA – Items 12 – 19 may be acted upon by one motion: SEE PAGE 1563 FOR ROLL CALL

12. **ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, THE SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) AND THE ACTS OF 1915, CHAPTER 408 AND TO SUBMIT THIS PROPOSED REFERENDUM ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 2, 2010, UP FOR F I R S T READING.**

Ordinance No. 5373

APPROVED, on First reading

13. **ORDINANCE TO AMEND CHAPTER 28, ARTICLE VI, DIVISION 3, OF THE CODE OF ORDINANCES, SO AS TO REDUCE THE NUMBER OF ALLOWABLE FALSE ALARMS, INCLUDE COSTS AND ADD NOTIFICATION PROCESS OF ALARM USER OPERATING WITHOUT A PERMIT, UP FOR F I R S T READING.**

Ordinance No. 5374

APPROVED, on First reading

14. **ORDINANCE REZONING THE WEST SIDE OF WHITE STATION ROAD; 255 FEET NORTH OF POPLAR AVENUE, CONTAINING 0.679 ACRE IN THE GENERAL OFFICE (O-G) DISTRICT, UP FOR SECOND READING.**

Case No. Z 10-106
Ordinance No. 5369

APPROVED, on Second reading

15. **ORDINANCE REZONING THE SOUTHEAST CORNER OF MARIANA STREET AND MIDLAND AVENUE, CONTAINING 0.50 ACRE IN THE RESIDENTIAL DUPLEX (RD) DISTRICT, UP FOR SECOND READING.**

Case No. Z 10-104
Ordinance No. 5370

APPROVED, on Second reading

16. **ORDINANCE REZONING THE NORTHEAST CORNER OF THE INTERSECTION OF GETWELL ROAD AND NEW WILLOW AVENUE, CONTAINING 0.62 ACRE IN THE LOCAL COMMERCIAL (C-L) AND SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICTS, UP FOR SECOND READING.**

Case No. Z 10-109
Ordinance No. 5371

WITHDRAWN

17. **ORDINANCE REZONING THE SOUTH SIDE OF POPLAR AVENUE BETWEEN N. TUCKER STREET AND N. REMBERT STREET, CONTAINING 1.65 ACES IN THE MULTIPLE DWELLING RESIDENTIAL (R-MM) AND HIGHWAY COMMERCIAL (CH) DISTRICTS, UP FOR SECOND READING.**

Case No. Z 10-107
Ordinance No. 5372

APPROVED, on Second reading

18. **RESOLUTION APPROVING FINAL PLAT OF LEGENDS PARK P.D., PHASE 4.**

Case No. PD 07-338
Contract No. CR-5163

Resolution approves the final plat located on the east side of Ayers Street, 405 feet north of Poplar Avenue. Cost of the required improvements to be borne by the agency and the contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

19. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 10-307 – McLean P.D.

Public Hearing Set for August 10, 2010

ROLL CALL CONSENT ITEMS

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison,
Strickland and Chairman Collins
Hedgepeth and Ware did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 20 - 27 may be acted upon by one motion:

20. **RESOLUTION AWARDED CONTRACT NO. 11423, SMART METER DEMONSTRATION, TO SMART SYNCH, IN THE FUNDED AMOUNT OF \$380,300.00.**

APPROVED

21. **RESOLUTION AWARDED CONTRACT NO. 11399, RIGHT-OF-WAY MOWING, TO ROTOLO CONSULTANTS, INC. IN THE FUNDED AMOUNT OF \$217,152.00. THIS REPLACES AWARD MADE TO SOUTHERN SPRAY COMPANY AT THE BOARD'S MEETING OF MAY 6, 2010.**

APPROVED

22. **RESOLUTION AWARDED CONTRACT NO. 11403, PAINTING OF THE LNG STORAGE TANK (EXTERIOR), TO GENERAL CONSTRUCTION SERVICES, INC., IN THE FUNDED AMOUNT OF \$249,299.93.**

APPROVED

23. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11110, COURIER SERVICES, WITH EXPRESS COURIER, INC. IN THE FUNDED AMOUNT OF \$144,869.52. THE NEW CONTRACT VALUE IS \$725,710.82. (THIS CHANGE RENEWS THE CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM, SEPTEMBER 7, 2010 TO SEPTEMBER 6, 2011, WITH AN INCREASE IN THE NUMBER OF RUNS FROM THE PREVIOUS YEAR. THE RATES WILL REMAIN THE SAME).**

APPROVED

24. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11281, MAINTAINING MLGW ARCHIVAL DOCUMENTS, WITH VITAL RECORDS CONTROL, INC. IN THE FUNDED AMOUNT OF \$28,269.00. THE NEW CONTRACT VALUE IS \$84,807.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, JULY 14, 2010 TO JULY 13, 2011, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR).**

APPROVED

25. **RESOLUTION AWARDDING CONTRACT FOR APPROXIMATELY 96,000 FT. OF INNERDUCT TO PETROFLEX, INC. IN THE AMOUNT OF \$28,425.60.**

APPROVED

26. **RESOLUTION AWARDDING 12-MONTH MAINTENANCE CONTRACT FOR INSERTER MACHINE TO BOWE BELL AND HOWELL IN THE AMOUNT OF \$56,400.00.**

APPROVED

27. **RESOLUTION AWARDDING CONTRACT FOR CAPACITOR BANKS TO UTILICOR IN THE AMOUNT OF \$180,080.00.**

APPROVED**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Fullilove
SECOND: Boyd
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland,
Ware and Chairman Collins
Brown and Hedgepeth did not cast a vote

APPROVED

28. **APPOINTMENTS**

MEMPHIS AND SHELBY COUNTY CENTER CITY COMMISSION**REAPPOINTMENT**

Mark D. Hendricks

APPOINTMENTS

Alpha L. Lyons (Al)
Isaac W. Northern, Jr.
Diane C. Spears

MOTION: Strickland
SECOND: Boyd
AYES: Boyd, Conrad, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman Collins
Brown and Ford did not cast a vote

APPROVED

29. **ORDINANCE ESTABLISHING THE SMALL BUSINESS ENTERPRISE (SBE) PROGRAM WITH THE GOAL OF AWARDING AT LEAST 25% OF CITY CONTRACTING AND PURCHASE ORDER DOLLARS TO LOCALLY OWNED SMALL BUSINESSES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5366

MOTION: Conrad
SECOND: Hedgepeth
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Lowery, Morrison, Strickland, Ware and Chairman Collins

APPROVED

31. **RESOLUTION TO AMEND THE FY 2010 OPERATING BUDGET BY APPROPRIATING \$136,296.00 IN FEDERAL FUNDING FOR SHELTER PLUS CARE GRANT PROGRAM, PROJECT NUMBER TN0016C4J0108102 IMPLEMENTED BY FRIENDS FOR LIFE, INC.**

MOTION: Brown
SECOND: Fullilove
AYES: Boyd, Brown, Conrad, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland,
Ware and Chairman Collins
Flinn and Fullilove did not cast a vote

APPROVED

32. **RESOLUTION TO AMEND THE FY 2010 OPERATING BUDGET BY APPROPRIATING \$328,752.00 IN FEDERAL FUNDING FOR SHELTER PLUS CARE GRANT PROGRAM, PROJECT NUMBER TN0024C4J010802 IMPLEMENTED BY CASE MANAGEMENT, INC.**

MOTION: Boyd

SECOND: Ford
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman Collins

APPROVED

33. **RESOLUTION TO AMEND THE FY 2010 OPERATING BUDGET BY APPROPRIATING \$203,040.00 IN FEDERAL FUNDING FOR SHELTER PLUS CARE GRANT PROGRAM, PROJECT NUMBER TN0111C4J010901 IMPLEMENTED BY SHIELD.**

MOTION: Brown
SECOND: Ford
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery,
Morrison, Strickland, Ware and Chairman Collins
Hedgepeth did not cast a vote

APPROVED

34. **RESOLUTION CHANGING ELIGIBILITY REQUIREMENTS FOR THE UTILITY ASSISTANCE PROGRAM.**

Held until August 10, 2010

37. **RESOLUTION APPROVING A COST SHARING AGREEMENT WITH NUCOR STEEL MEMPHIS, INC., AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON MAY 20, 2010.**

Contract No. CR-5162

MOTION: Conrad
SECOND: Fullilove
AYES: Boyd, Conrad, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Ware and
Chairman Collins
Brown, Flinn, Halbert and Strickland did not cast a vote

APPROVED

38. **RESOLUTION AMENDING THE FY 2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$275,000.00 FUNDED BY SEWER REVENUE BONDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO INSTALL CIPP ANNUAL 2010, PROJECT NUMBER SW02084 TO REPAIR/REHAB EXISTING DAMAGED SANITARY SEWER PIPE USING CIPP PROCESS. RESOLUTION ALSO APPROPRIATES \$275,000.00 FUNDED BY SEWER REVENUE BONDS FOR INSTALL CIPP ANNUAL 2010, PROJECT NUMBER SW02084 FOR A CONSTRUCTION CONTRACT WITH INSITUFORM TECHNOLOGIES, INC.**

MOTION: Hedgepeth

SECOND: Fullilove
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Ware and Chairman Collins
Halbert and Strickland did not cast a vote

APPROVED

39. **RESOLUTION AMENDING THE FY 2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$6,961,162.00 FUNDED BY G.O. BONDS GENERAL FROM ASPHALT PAVING, PROJECT NUMBER PW01040 TO ASPHALT PAVING FY 2011, PROJECT NUMBER PW01229. RESOLUTION ALSO APPROPRIATES \$6,961,162.00 FUNDED BY G.O. BONDS GENERAL FOR ASPHALT PAVING FY 2011, PROJECT NUMBER PW01229 FOR PAVING DONE BY CITY EMPLOYEES.**

MOTION: Hedgepeth
SECOND: Ford
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Ware and Chairman Collins
Halbert, Lowery and Strickland did not cast a vote

APPROVED

40. **RESOLUTION AMENDING THE FY 2011 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$700,000.00 FUNDED BY G.O. BONDS GENERAL FROM STREET LIGHTING, PROJECT NUMBER PW01093 TO STREET LIGHTING FY 2011, PROJECT NUMBER PW01230. RESOLUTION ALSO APPROPRIATES \$700,000.00 FUNDED BY G.O. BONDS GENERAL FOR STREET LIGHTING FY 2011, PROJECT NUMBER PW01230 TO REIMBURSE MEMPHIS LIGHT, GAS AND WATER FOR COSTS INCURRED IN CONNECTION WITH SERVICING, REPLACING AND REMOVING EXPRESSWAY STREET LIGHT POLES.**

Director of Public Works recommends approval

MOTION: Hedgepeth
SECOND: Flinn
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Ware and Chairman Collins
Halbert, Morrison and Strickland did not cast a vote

APPROVED

41. **RESOLUTION APPROPRIATING ELEVEN MILLION NINE HUNDRED THOUSAND DOLLARS (\$11,900,000.00) IN G.O. BONDS GENERAL CHARGEABLE TO THE FY 2011 CAPITAL IMPROVEMENT BUDGET AND CREDITED TO CD01085, THE TIGER LANE PUBLIC GREEN SPACE PROJECT AS THE BALANCE OF PROJECT FUNDING, AS APPROVED ON MAY 25, 2010.**

MOTION: Boyd
SECOND: Strickland
AYES: Boyd, Flinn, Ford, Hedgepeth, Lowery, Strickland, Ware and Chairman Collins
NAY: Conrad
Brown, Fullilove, Halbert and Morrison did not cast a vote

APPROVED

42. **RESOLUTION AMENDING THE FY 2011 CAPITAL IMPROVEMENT BUDGET FOR COMMUNITY ENHANCEMENT'S CAPITAL ACQUISITION PROJECT NUMBER GS02011H TO REPLACE THE ORIGINAL VEHICLE PURCHASE REQUEST TO PURCHASE THIRTEEN (13) COMMERCIAL MOWERS IN THE AMOUNT OF ONE HUNDRED SIXTY-SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$167,700.00).**

MOTION: Ware
SECOND: Ford
AYES: Boyd, Brown, Conrad, Flinn, Fullilove, Hedgepeth, Lowery, Strickland, Ware and Chairman Collins
Ford, Halbert and Morrison did not cast a vote

APPROVED

43. **RESOLUTION ACCEPTING AND APPROPRIATING \$5,445.00 IN GRANT FUNDS FROM THE H.W. DURHAM FOUNDATION TO PURCHASE SCOOTERS AND CONVENIENCE CARTS FOR SENIOR CITIZENS WHO VISIT THE MEMPHIS PUBLIC LIBRARY.**

MOTION: Ware
SECOND: Flinn
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Strickland, Ware and Chairman Collins
Halbert and Morrison did not cast a vote

APPROVED

44. **RESOLUTION APPROPRIATING \$500,000.00 IN FURNITURE, FIXTURES AND EQUIPMENT FOR THE ANIMAL SHELTER REPLACEMENT PROJECT.**

Council did include the Animal Shelter Replacement, CIP Project Number PS01010 as part of the Fiscal Year 2011 Capital Improvement Program.

MOTION: Ware
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Lowery, Strickland, Ware and
Chairman Collins
Halbert, Hedgepeth and Morrison did not cast a vote

APPROVED

45. **RESOLUTION APPROPRIATING \$368,000.00 FOR INFORMATION TECHNOLOGY FOR THE ANIMAL SHELTER REPLACEMENT, CIP PROJECT NUMBER PS01010 AS PART OF THE FY2011 CAPITAL IMPROVEMENT PROGRAM FUNDED BY G.O. BONDS.**

MOTION: Ware
SECOND: Boyd
AYES; Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Lowery, Strickland, Ware and
Chairman Collins
Halbert, Hedgepeth and Morrison did not cast a vote

APPROVED

(Councilwoman Fullilove made a motion to approve Same Night Minutes for items #21, #41, #42, #43, #44 & #45 from tonight's meeting).

(Special Item #1 – Same Night Minutes)

MOTION: Fullilove
SECOND: Flinn
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Lowery, Strickland, Ware and
Chairman Collins
Conrad, Halbert, Hedgepeth and Morrison did not cast a vote

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Collins recognized the following people who spoke from the audience:
Steven Simmons, 781 Leath St., Memphis, TN. 38107
Walter Broady, 4256 Ledbetter Cove, Memphis, TN. 38109

ADJOURNED MEETING AT 5:30 P.M.

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

CHAIRMAN

Attest:

Deputy Comptroller/Council Records